

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Toshio MATSUMOTO et al.

Group Art Unit : 1771

Appl. No. : 10/577,426  
(National Stage of PCT/JP2004/015941)

Examiner : Hai VO

I.A. Filed : October 27, 2004

Confirmation No. : 4734

For : POROUS CALCIUM PHOSPHATE CERAMIC AND METHOD FOR  
PRODUCING THE SAME

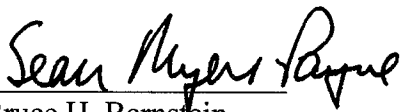
**SUBMISSION OF TERMINAL DISCLAIMER**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop AMENDMENT  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Further to the Request for Reconsideration filed October 18, 2007, Applicants submit herewith an executed Terminal Disclaimer. If any fees are necessary for consideration of this Terminal Disclaimer, including any extension of time fees, the Office is authorized to charge such fees to Deposit Account 19-0089.

Respectfully submitted,  
Toshio MATSUMOTO et al.

  
Bruce H. Bernstein  
Reg. No. 29,027 42,920

October 19, 2007  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, Virginia 20191  
(703) 716-1191

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Alexandria, VA 22314

Sir:

Your petitioner, PENTAX Corporation, having a business address of 36-9 Maenochi 2-chome, Itabashi-ku, Tokyo, Japan, represents that it is the owner of record of the entire right, title, and interest of the above-identified application by virtue of an assignment recorded in the U.S. Patent and Trademark Office on April 27, 2006, at Reel 017834, Frame 0135, U.S. Application No. 10/577,426 for "POROUS CALCIUM PHOSPHATE CERAMIC AND METHOD FOR PRODUCING THE SAME".

Your petitioner, PENTAX Corporation, further represents that it is the owner of record of the entire right, title, and interest of U.S. Application No. 10/996,434, now U.S. Patent No. 7,279,219, for "POROUS CALCIUM PHOSPHATE CERAMIC AND METHOD FOR

PRODUCING THE SAME," by virtue of an assignment recorded in the U.S. Patent and Trademark Office on November 26, 2004, at Reel 016034, Frame 0200.

The undersigned representative is authorized to act on behalf of the assignee, and it is certified that to the best of the undersigned's knowledge and belief, title is in the assignee.


Your petitioner, PENTAX Corporation, hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of U.S. Patent No. 7,279,219, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 7,279,219, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer of U.S. Patent No. 7,279,219 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), have all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of their full statutory term as presently shortened by any terminal disclaimer, except for the failure of common ownership stated above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are

punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,  
PENTAX Corporation

By   
Name Tatsuo Itami  
Vice President  
Title Vice President

October 19th, 2007